

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANDRE BISASOR,)
PLAINTIFF,)
VS.) Docket No. 1:16-cv-10105-DJC
)
DANSLAV SLAVENSKOJ,)
HARVARD EXTENSION SCHOOL/)
HARVARD UNIVERSITY, ROBERT)
H. NEUGEBOREN, MICHAEL)
SHINAGEL, HUNTINGTON)
LAMBERT, SHIRLEY R. GREENE,)
MARGARET C. ANDREWS, ASHLEY)
R. POLLACK, PHILIP HARDING,)
KRISHAN ARORA, KEN VEDAA,)
JENNIFER WEBB, JOHN AND JANE)
DOE, AND AFFILIATED COMPANIES)
OF EXTENSIONSTUDENT.COM,)
DEFENDANTS.)

**OPPOSITION BY DEFENDANTS PRESIDENT AND FELLOWS OF HARVARD
COLLEGE, ROBERT H. NEUGEBOREN, MICHAEL SHINAGEL, HUNTINGTON
LAMBERT, SHIRLEY R. GREENE, AND MARGARET C. ANDREWS TO
PLAINTIFF'S [SUPPLEMENTAL OR AMENDED] MOTION TO STAY PENDING
APPEAL AND MEMORANDUM IN SUPPORT WITH EXHIBITS [ECF # 24]**

On May 2, 2016, the Plaintiff filed a Notice of Appeal [ECF # 21] and simultaneously filed an eleven (11) page Motion to Stay Proceedings Pending Appeal [ECF # 23] (the “Initial Motion”). Four days later, without seeking leave of Court pursuant to L.R. 7.1(b)(3), the Plaintiff filed what he termed a “[Supplemental or Amended] Motion for Stay Pending Appeal and Memorandum in Support with Exhibits” [ECF # 24] (the “Supplemental Motion”). The Supplemental Motion makes the same arguments at greater length, spanning twenty-eight pages¹ and containing fifty-five pages of exhibits that are irrelevant to the question before the Court (*i.e.*, should this litigation be stayed pending an improperly taken appeal).

¹ The Plaintiff did not move for leave to exceed the twenty (20) page limitation on motion papers as required pursuant to L.R. 7.1(b)(4).

The Harvard Defendants² hereby OPPOSE the Supplemental Motion for the reasons already detailed in their Opposition to the Initial Motion [ECF # 27], filed on May 16, 2016, and incorporated by reference herein. As explained therein, see id. at 3-6, the Court of Appeals lacks jurisdiction to consider an interlocutory appeal of the Court's denial of a (yet earlier) request for stay, or the Plaintiff's request for sanctions, and therefore there is no reason to halt these proceedings to await a substantive ruling from the First Circuit.

WHEREFORE, the Harvard Defendants respectfully request that this Honorable Court DENY the Plaintiff's “[Supplemental or Amended] Motion for Stay Pending Appeal and Memorandum in Support with Exhibits” [ECF # 24], expeditiously rule upon the Harvard Defendants' unopposed Motion to Remand [ECF # 5], and grant such further relief as it deems just.

² These are: Defendants President & Fellows of Harvard College (misnamed in the amended complaint as “Harvard Extension School/Harvard University”) (“Harvard”), Robert H. Neugeboren, Michael Shinagel, Huntington Lambert, Shirley R. Greene, and Margaret C. Andrews

Respectfully submitted,
**DEFENDANTS, PRESIDENT & FELLOWS OF
HARVARD COLLEGE (misnamed in the
Amended Complaint as "Harvard Extension
School/Harvard University"), ROBERT H.
NEUGEBOREN, MICHAEL SHINAGEL,
HUNTINGTON LAMBERT, SHIRLEY R.
GREENE, AND MARGARET C. ANDREWS,**

By their Attorneys,

/s/ William P. Mekrut

John P. Coakley, BBO# 558685
William P. Mekrut, BBO# 654350
Stephen D. Coppolo, BBO#670342
MURPHY & RILEY, P.C.
101 Summer Street
Boston, MA 02110
(617) 423-3700
jcoakley@murphyriley.com
wmekrut@murphyriley.com
scoppolo@murphyriley.com

DATED: May 20, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this date, upon information and belief, the Court's ECF system will serve an electronic copy of the foregoing upon the following *pro se* parties and counsel of record:

Joseph P. Dever, Esquire
Riley & Dever, P.C.
Lynnfield Woods Office Park
210 Broadway, Suite 101
Lynnfield, MA 01940-2351

Andre Bisasor, *pro se*
19 Drum Hill Road, #233
Chelmsford, MA 01824

I further certify that on this date, I caused a copy of the foregoing to be served upon each of the following non-ECF registered parties via first-class mail, postage prepaid:

Ken Vedaa, *pro se*
16970 Highland Cir
Paeonian Springs, VA 20129

Danslav Slavenskoj, *pro se*
2 Greenough Ave., #8
Boston, MA 02130

/s/ William P. Mekrut
William P. Mekrut, BBO# 654350

DATED: May 20, 2016